

# Transferred FBI Officials Had Roles in High-Profile Cases

*Move of Supervisor, Unit Chiefs Follows Report Criticizing Lab*

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A senior FBI official who helped supervise the crime scenes after the bombings of the Oklahoma City federal building and New York's World Trade Center was among those removed from their positions following an unusual Justice Department report that criticizes the work of the bureau's laboratory.

The transfer of supervisory agent David Williams and two other FBI officials "who had major responsibilities in explosives investigations" renewed long-standing questions about the integrity of the FBI lab and could set off a round of legal challenges to bureau forensic findings in high-profile prosecutions.

Williams, Tom Thurman, unit chief of the explosives division, and Roger Martz, unit chief of the chemistry and toxicology division, were transferred while the FBI evaluates a report by the Justice Department's inspector general about their work in a number of criminal investigations. According to an official familiar with the report, the three were transferred because of questions concerning "sloppiness and mismanagement." The report criticizes some basic procedures at the FBI lab and highlights some two dozen cases in which there were problems with possibly contaminated evidence and other FBI laboratory procedures.

The unreleased report does not allege that evidence was manipulated to benefit prosecutors, officials said. It was not clear whether the inspector general found problems with the Oklahoma City or World Trade Center investigations. Phone calls to the offices of the three officials were not returned.

Justice Department officials maintained yesterday that the allegations should have no adverse effect on pending criminal cases and said FBI lab work did not impair any suspect's right to a fair trial. However, a number of senior law enforcement officials said privately that the report's findings were troubling. The FBI yesterday issued a six-page press release detailing Director Louis J. Freeh's efforts to improve the laboratory, including steps initiated before the Justice inquiry.

Department criminal lawyers have reviewed the inspector general's findings and have sought to address any issues that could

affect pending cases and those on appeal, sources said. Williams, for example, likely will not be called as an expert witness in the Oklahoma City bombing trials of Timothy J. McVeigh and Terry L. Nichols, sources said.

Federal prosecutions, particularly bombing cases such as Oklahoma City, rely heavily on scientific analysis and forensic evidence to convince juries of the government's case. If

the credibility of FBI forensics becomes a major issue, such cases could be jeopardized.

Stephen Jones, attorney for McVeigh, said he is well aware of the Justice probe and is prepared to put the FBI laboratory on trial.

"I think they are engaged in forensic prostitution, especially the bomb analysis unit and perhaps others," Jones said. "The FBI laboratory work will be subjected to close examination during the trial." Jones said he had been given significant access to FBI working papers and lab protocols and that it had proven "beneficial to the defense."

Meanwhile, the FBI leadership spent part of yesterday fending off questions from a key

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congressional oversight figure concerning its recent paid suspension of forensic scientist Frederic Whitehurst, who prompted the Justice investigation with complaints about procedures at the laboratory. In a meeting with Sen. Charles E. Grassley (R-Iowa), who chairs the Judiciary subcommittee on administrative oversight and the courts, the FBI maintained that Whitehurst's suspension was not retaliatory.

The FBI lab conducts more than 600,000 examinations a year for local, state, federal and international law enforcement agencies.

The Justice report, prepared with the help of several world-renowned forensic experts, found that in some cases the bureau laboratory exercised lax control over evidence and that accountability over findings needed to be improved. The report also recommends that the lab undergo strict accreditation procedures and that scientists be placed in charge of the laboratory rather than law enforcement personnel.

FBI officials yesterday were quick to point out that Freeh has sought to get the bureau accredited by the American Society of Crime Laboratory Directors, has obtained funding for a new laboratory and has implemented initiatives aimed at improving the bureau's forensic program, including:

- Formation of a quality assurance unit to ensure sound laboratory practices.
  - \$30 million to modernize laboratory equipment.
  - Creation of evidence response teams to expand the number of personnel trained and equipped to handle crime-scene evidence.
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